



Paper No. 4

Patterson Thuente Skaar & Christensen
4800 IDS Center, 80 South 8th Street
Minneapolis, MN 55402-2100

COPY MAILED

DEC 10 2001

In re Application of
Paul Chapin
Application No. 09/960,231
Filed: September 20, 2001
For: System and Method for Stryboard
Interactive Television Advertisement

OFFICE OF PETITIONS
DECISION GRANTING
PETITION

This is a decision on the petition under 37 CFR 1.181, filed October 9, 2001, requesting that the above-identified application be accorded a filing date of September 20, 2001, rather than the presently accorded filing date of September 21, 2001. The request is properly being treated as a petition under 37 CFR 1.10(c).

Petitioner alleges that the filing date of the above-identified application should be September 20, 2001. In support of the petition, petitioner has provided a copy of an "Express Mail" mailing label bearing "Express Mail" label no. EL671573105US. The same Express mail receipt number was referred to in the original Application Transmittal Letter filed with the application papers. Petitioner requests that the application be accorded a filing date of September 20, 2001.

The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "Date-In" on the Express Mail label; MPEP 513. That is the date that verifies that the package was actually mailed. In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on September 20, 2001.

The petition is granted.

The \$130 petition fee will be credited to petitioner's deposit account.

The application is being forwarded to the Office of Initial Patent Examination for processing with a filing date of September 20, 2001 and mailing of a corrected Filing Receipt.

Telephone inquiries concerning this matter may be directed to Latrice Bond at (703) 308-6911.

Latrice Bond
Paralegal Specialist
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Brian Hearn
Senior Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy